

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA

v.

**THOMAS COLE THOMPSON, #27662-177,
Defendant/Movant.**

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3:01-CR-273-M(01)

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION OF
THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions and a recommendation in this case. Defendant/Movant filed objections, and the District Court has made a *de novo* review of those portions of the proposed findings and recommendation to which objection was made. The objections are overruled. The Court ACCEPTS the Findings, Conclusions and Recommendation of the United States Magistrate Judge, and DISMISSES Movant's motion to compel (Doc. # 122), construed as a motion to vacate, set aside, or correct the sentence pursuant to 28 U.S.C. § 2255, without prejudice to Movant's right to file a motion for leave to file a second or successive § 2255 motion in the United States Court of Appeals for the Fifth Circuit. See 28 U.S.C. §§ 2244(b)(3)(A) and 2255.

The Clerk is ORDERED to open for statistical purposes, a new civil action (nature of suit 510, motion to vacate, set aside, or correct sentence, directly assigned to District Judge Barbara M.G. Lynn and Magistrate Judge Sanderson) and to close the same on the basis of this order.

SO ORDERED this 12th day of August, 2009.



BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS